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October 24, 2014

Honorable William H. Pauley III
United States District Court
Southern District of New York
New York, N.Y. 10007

Re: Zoltan Hirsch v. Ktima Rest, Inc. a New York Corporation doing business as La
Parisienne Diner and 200 West 58th Street LLC
Index No. : 14-CV-06246-WHP
Our File : KTI-00101/MHP

Dear Judge Pauley :

In accordance with your rules, this letter is written and being filed by ECF and a courtesy copy being sent via regular mail.

We represent defendant KTIMA Restaurant, Inc. d/b/a La Parisienne Diner in the captioned matter. A Notice of Appearance will be filed next week because the signing attorney is out of state and expected to return on Monday.

Firstly, this letter is written to memorialize a verbal agreement between plaintiff's counsel and Jeffrey T. Miller, Esq. of Pillinger Miller Tarallo, LLP which extends the time to appear and file an answer by November 3, 2014.

Further, in reviewing this matter, our office was informed that Joint Letter Submitted Pursuant to Initial Pretrial Conference Order is due on or before October 24, 2014. Though plaintiff's counsel in fact filed a Joint Letter yesterday, October 23, 2014, we have informed Mr. Weitz's office that the caption erroneously concerns another matter [14 CV 05866-AJN] which their office apparently handles on behalf of plaintiff therein. We have been informed the corrective document will be prepared and presented in the near future.

Further, our office was provided with a Civil Case Management Plan and Scheduling Order with the proper case number [14 CV 06246-WHP]; however, that document erroneously states the plaintiff's name as JOSEPH PARENTEAU, a non-party herein.

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Secondly, this letter is written to request a short extension to enable plaintiff's counsel the time he needs to prepare and present a corrected Civil Case Management Plan and Scheduling Order for this matter and likewise, a short extension of time to enable plaintiff's counsel to prepare and present a corrected Joint Letter Submitted Pursuant to Initial Pretrial Conference Order. Though not discussed with Mr. Weitz, we suggest an extension of time to October 31, 2014 will suffice.

Kindly consider this letter application to extend the deadline to file the Joint Letter Submitted Pursuant to Initial Pretrial Conference Order and to file a corrected Civil Case Management Plan and Scheduling Order on or before October 31, 2014.

Very truly yours,

PILLINGER MILLER TARALLO, LLP

By: 

LESLIE G. ABELE

MHP/LGA/dod
467590.wpd

SO ORDERED:

JUDGE WILLIAM H. PAULEY III
United States District Court

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cc: Ben-Zion Bradley Weitz
The Weitz Law Firm, PA
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